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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,894	03/12/2002	Goran Lundgren	LAGROTH-027	4644

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EXAMINER

YAO, SAMCHUAN CUA

ART UNIT PAPER NUMBER

1733

DATE MAILED: 03/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/009,894

Applicant(s)

LUNDGREN ET AL.

Examiner

Sam Chuan C. Yao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 19-38 is/are pending in the application.
- 4a) Of the above claim(s) 31-38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03-12-02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 19, 21-23 and 29 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Luck et al (US 4,275,027).

With respect to claims 19, 22, 23, and 29, Luck et al discloses a process of making a contoured board, the process comprises forming a fibrous consolidated mat having a density of 10-35 pounds/cubic foot; slicing the mat to form a rectangular fibrous blank; machining the blank using a router to shape the blank; impregnating a resin solution the shaped blank to modify the surface of the shaped blank; and, then heat-pressing the shaped blank to form the contoured board having a densified skin layer (col. 5 lines 45-58; claims 1-15; figures 1-7). Although not explicitly disclosed, one in the art reading Luck et al would have readily recognized and understood that, a consolidated fibrous blank and a resultant contoured board have a **substantially** uniform density. In any event,

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such would have been obvious in the art as such is conventional in the art. Note further that: milling a fiber mat is taken to read on routing a fibrous blank. In any event, shaping a fibrous blank by milling would have been obvious in the art as such is conventional in the art.

With respect to claim 21, see figures 3 and 6-7.

4. Claims 20, 24, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luck et al (US 4,275,027) as applied to claim 19 or 23 above.

With respect to claim 20, see column 5 lines 34-43 of the Luck et al patent. It is a notoriously common practice in the art to form a fibrous mat from a defiberized lignocellulosic material which is air-laid onto a mat forming surface.

With respect to claims 24 and 27, since it is conventional in the art to form a contoured fiber board having a decorative laminate, by heat-pressing a decorative laminate onto a surface of a fibrous core in a mold, these claims would have been obvious in the art.

With respect to claim 28, since it is old in the art to provide texturized surface on a contoured fiber board, this claim would have been obvious in the art.

5. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luck et al (US 4,275,027) as applied to claim 23 above, and further in view of WO 95/20473.

Since the limitations in these claims are conventional in the art as exemplified in the teachings of WO '473 (claims 10-12), these claims would have been obvious in the art. It is worthnoting that, WO '473 teaches forming a consolidated fiber

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mat having a substantially uniform density, the fiber mat is then subjected to a post heat-pressing operation to form a fiber board having a densified skin and a fiber core portion, the fiber core portion has a substantially uniform density (figures 1-2 and 4-5).

6. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luck et al (US 4,275,027) as applied to claim 19 above, and further in view of Himmelheber (US 2,822,024).

Since Himmelheber et al teaches the desirability of recycling excess cellulose resulting from a stripping operation of a fiber mat (figure 1), this claim would have been obvious in the art.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Smith et al (US 6,200,687) is cited as reference of interest showing a finished contoured board having **a substantially uniform density**.


Wiemann (US 6,409,856) is cited as a reference of interest where a mat is continuously subjected to a stripping operation using a brush to shape the mat to a desired configuration.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Chuan C. Yao whose telephone number is (571) 272-1224. The examiner can normally be reached on Monday-Friday with second Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sam Chuan C. Yao  
Primary Examiner  
Art Unit 1733

Scy  
02-28-04